

UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF NEW YORK

In Re:

Michael P DiPota
Mary P DiPota

Debtor(s)

Case No.: 1–10–13166–MJK
Chapter: 13

SSN: xxx–xx–4124
SSN: xxx–xx–5976

DEFICIENCY NOTICE

Please be advised that the **Motion Objecting to Claim** filed on **March 21, 2011** (document number 38) contains the following deficiencies:

MISSING/INCOMPLETE DOCUMENTS:

- ☒ Certificate of service is ☒ missing or ☐ incomplete.
- ☐ Official Form 23 is ☐ missing or ☐ does not state the Certificate number. Please file Official Form 23 as follows: **Bankruptcy > Other > Financial Management Course**. Without a completed Form 23 AND certificate number, this case will be closed without the entry of a discharge order.
- ☐ The PDF file attached ☐ is not legible or ☐ will not upload or ☐ is incorrect.
- ☐ The Amendment is missing: ☐ a Cover Sheet; ☐ an Amended Summary of Schedules; and/or ☐ a Certificate of Service .
- ☐ An Order must be submitted in paper for the motion type (document number) that was granted in Court on [date]. Please be advised that no further notice regarding the order will be provided. If the order is not submitted prior to closure of the case, a reopening fee may be required.
- ☐ **ROCHESTER ONLY:** Motion fails to comply with the Standing Order dated December 18, 2009, which contains a comprehensive list of procedures/requirements for each default motion filed in Rochester and Watkins Glen. This Standing Order is available at www.nywb.uscourts.gov.
☐
- ☐ Other:

INCORRECT PROCEDURE:

- ☐ Incorrect event selected.
- ☐ Document filed in the wrong case. Please re–file this document in the correct case number: [case #].
- ☐ Main Document(first document attached) should consist of [document] and the attachments to the main document should always consist of: [document].
- ☐ Document link relationship to an existing event is ☐ missing or ☐ was linked to the wrong document.
- ☐ Certificate of service indicates that service was electronically done through the Court CM/ECF system. Service of a motion under Rule 9014 or a summons under Rule 7004 cannot be accomplished by electronic means. Please conventionally serve all appropriate parties and re–file a certificate of service with the Court.
- ☐ **BUFFALO ONLY:** The motion incorrectly informs debtor or party that written response is required and/or sets a deadline for filing written opposition. An amended motion in compliance with the Standing Order dated March 16, 1999 must be filed and served.
- ☐ Other:

MISSING/ INCOMPLETE INFORMATION:

- ☐ Electronic signature is ☐ missing or ☐ incomplete from .
- ☐ Improper Hearing ☐ Date, ☐ Time and/or ☐ Location. Please consult the Judges' Courtroom Practice section at www.nywb.uscourts.gov for procedures on hearing dates, locations, times and service.
- ☐ Hearing ☐ Date, ☐ Time and/or ☐ Location not provided.
- ☐ Other:

ADDITIONAL INFORMATION, IF APPLICABLE:

- ☐ This motion will **NOT** be considered by the Court until the deficiencies noted above are corrected.
- ☒ This motion **WILL** be placed on the Court calendar. However, the deficiencies noted above must be corrected prior to the hearing date.
- ☒ The document needs to be filed/re–filed as follows:Bankruptcy > Other > Certificate of Service and link to Document No. 38.

Date: March 22, 2011

Paul R. Warren
Clerk of Court

Form defygen/Doc 39

www.nywb.uscourts.gov

United States Bankruptcy Court
Western District of New York

In re:
Michael P DiPota
Mary P DiPota
Debtors

Case No. 10-13166-MJK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0209-1

User: bessinger
Form ID: defygen

Page 1 of 1
Total Noticed: 1

Date Rcvd: Mar 22, 2011

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 24, 2011.
db/jdb +Michael P DiPota, Mary P DiPota, 1430 Forbes St., North Tonawanda, NY 14120-1859

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 24, 2011

Signature:

